

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

ANNETTE MONTOYA,

Plaintiff,

vs.

Civ. No. 98-899 JP/WWD

LAS VEGAS CITY SCHOOLS,  
LAS VEGAS, NEW MEXICO,

Defendant.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Defendant Las Vegas City Schools' Motion to Compel [23] filed March 1, 1999. The motion seeks an order compelling Plaintiff to submit to an "independent psychological examination." The motion also seeks an order compelling Plaintiff to respond to Defendant's first request for production to Plaintiff. The motion for an independent psychological examination based on the Plaintiff's claim for "emotional distress damages" is not well taken and it will be denied. Defendant's motion with respect to Defendant Las Vegas City School's first request for production of documents to Plaintiff is well taken, and given the circumstances, as well as the nature of the particular request, except for Requests No. 10, 11, and 12, the documents sought in this request for production should be produced to Defendant on or before March 23, 1999. In the event that Plaintiff has no documents in the particular category of documents sought, Plaintiff should so indicate in a proper response to the aforementioned requests for production.

Discovery in this cause should proceed in accordance with the foregoing.

**IT IS SO ORDERED.**

  
UNITED STATES MAGISTRATE JUDGE